

more, the county of which the principal in said bond or bonds is tax collector shall pay a reasonable amount as premium on said bond or bonds, which amount shall be paid out of the general revenue of the county upon presentation of the bill therefor to the commissioners' court of the county properly authenticated as required by law in other claims against the county. If there be any controversy as to the reasonableness of the amount claimed, as such premium, such controversy may be determined by any court of competent jurisdiction.

Sec. 3. That a new article be added to the 1925 Revised Civil Statutes to be known as Article 7249A, to read as follows:

Article 7249a. Each county tax collector, whenever he shall have collected during any month for the county an amount equal to one-half ( $1/2$ ) of the amount of his county bond and for the State an amount equal to one-half ( $1/2$ ) of the amount of his State bond, shall immediately and at the same time pay over to the county treasurer ninety per cent (90%) of the total amount collected for the county, and pay over to the State Treasurer ninety per cent (90%) of the total amount collected for the State, provided that said payments shall not be required oftener than once a week but at least once each month, except as otherwise provided by this Act.

The commissioners' court of any county, or the Comptroller of Public Accounts, may at any time in their discretion call upon the tax collector for a sworn statement as to the amount of his collections made during the current month, and for an estimate as to the amount of taxes in the county depository belonging to the county or State, and direct that ninety per cent (90%) of those funds be transferred to the county or State Treasury. The commissioners' court or the Comptroller may at any time require a sworn statement from the depository as to the amount of funds in their hands under the control of the tax collector.

Failure or refusal of the tax collector to make the remittances as provided in this Act within three (3) days from the date he shall have collected for the State and county amounts equal to one-half ( $1/2$ ) of the respective bonds, or to render

the statement required herein, within three (3) days after receiving notice to do so, shall constitute a misdemeanor and shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00).

Sec. 3. This Act is cumulative of all other laws upon the same subject.

Sec. 4. The fact that recent losses suffered by surety companies on public officers, highway contractors, and gas tax bonds, has increased the premium upon such bonds to an extent which makes it prohibitive and almost impossible for a tax collector to make a surety company bond; and the further fact that by providing for frequent remittances of tax funds during the heavy collection period will protect State and county tax funds creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House, be, and the same is hereby suspended, and that this Act shall take effect and be in force on and after its passage, and be it so enacted.

#### TWELFTH DAY.

Senate Chamber,  
Austin, Texas,  
September 12, 1932.

The Senate met at 10 o'clock p. m. pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parrish.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

#### Absent—Excused.

Cousins.	Patton.
Greer.	Pollard.
Hopkins.	Rawlings.
Martin.	Woodward.
Parr.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Gainer.

### Committee Reports.

(See Appendix.)

### Bills and Resolutions.

By Senator Loy:

S. B. No. 41, A bill to be entitled "An Act to amend Articles 6050, 6058, 6060, as amended, 6066, as amended, Revised Civil Statutes of Texas, 1925, and by adding Articles 6058-a and 6058-b, so as to more clearly define gas utility and to prohibit the raising of gas rates in unincorporated towns and in incorporated towns of less than 500 population, and of rural subscribers without notice and hearings; to authorize the Railroad Commission of Texas to make appraisals and audits in incorporated towns and cities of between 500 and 30,000 population; to provide for the necessary funds and organization in carrying out the provisions of this Act and declaring an emergency."

Read and referred to Committee on State Affairs.

### Senate Bill No. 24.

On motion of Senator Small, S. B. No. 24 was laid on the table subject to call.

### Senate Bill No. 38.

On motion of Senator Purl, S. B. No. 38 was laid on the table subject to call.

### Senate Bill No. 29.

Senator Berkeley called up from the table the following bill:

By Senator Berkeley:

S. B. No. 29, A bill to be entitled "An Act to authorize the creation of corporations formed wholly for the purpose of providing housing for families of low income and/or for reconstruction of slum areas; making provisions for the regulation by the governing bodies of municipalities in which the properties of such corporations may be situated as to rents, charges, capital structure, etc., and declaring an emergency."

Senator Oneal sent up the following amendment:

Amend S. B. No. 29 by striking out of the first line of Section 1 the word "wholly" and inserting between the word "the" and the word "purpose" in the first line of Section 1 the word "sole."

ONEAL.

Read and adopted.

The bill as amended was passed to engrossment.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 29 was put on its third reading and final passage, by the following vote:

### Yeas—21.

Beck.	Oneal.
Berkeley.	Parrish.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodruff.
Neal.	

### Absent—Excused.

Gousins.	Patton.
Greer.	Pollard.
Hopkins.	Rawlings.
Martin.	Woodul.
Parr.	Woodward.

Read third time and finally passed by the following vote:

### Yeas—12.

Beck.	Hornsby.
Berkeley.	Moore.
Cunningham.	Neal.
Gainer.	Oneal.
Hardin.	Parrish.
Holbrook.	Poage.

### Nays—6.

DeBerry.	Small.
Loy.	Thomason.
Purl.	Woodruff.
Russek.	

### Present—Not Voting.

Stevenson.	Williamson.
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**Absent—Excused.**

Cousins.	Patton.
Greer.	Pollard.
Hopkins.	Rawlings.
Martin.	Woodul.
Parr.	Woodward.

**Recess.**

On motion of Senator Oneal, the Senate, at 10:23 o'clock a. m., recessed until 2 o'clock p. m.

**After Recess.**

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

**Message From the House.**

Hall of the House of Representatives,  
Austin, Texas, Sept. 12, 1932.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendments to H. B. No. 2 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

BROOKS,  
HUBBARD,  
WAGSTAFF,  
WEINERT,  
HARMAN.

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

**Free Conference Granted.**

On motion of Senator Poage, the Senate voted to grant the request of the House for a free conference committee on H. B. No. 2.

The Chair appointed the following on the part of the Senate:

POAGE,  
SMALL,  
ONEAL,  
LOY,  
WOODRUFF.

**House Bill No. 48.**

The Chair laid before the Senate by unanimous consent the following bill:

By Mr. Satterwhite:  
H. B. No. 48, A bill to be entitled

"An Act providing for the execution of surety company bonds by county tax collectors in special cases, providing for the payment of premium on those bonds in certain counties; and providing for weekly remittances of county and State taxes by county tax collectors, and special reports by tax collectors and county depositories to be furnished upon the request of the Comptroller or the commissioners court as to funds in their hands and special remittances thereof to safeguard funds in their hands and protect their bondsmen, providing penalties, and declaring an emergency."

Read second time.

**Call of the Senate.**

On motion of Senator DeBerry, a call of the Senate to obtain and maintain a quorum was ordered by a majority vote.

Senator DeBerry moved that all absent Senators be wired to be present at 10 o'clock tomorrow morning.

Senator Small moved to excuse Senator Rawlings today on account of important business. The motion prevailed.

The following Senators were excused for the day on account of important business:

Senators Hopkins, Woodul, and Cousins, on motion of Senator Thomason; Senators Greer and Williamson, on motion of Senator Moore; Senator Parr, on motion of Senator Gainer.

**Recess.**

On motion of Senator Moore, the Senate, at 2:53 o'clock p. m., recessed until 10 o'clock tomorrow morning.

**APPENDIX.****Committee on Engrossed Bills.**

Committee Room,  
Austin, Texas, Sept. 12, 1932.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 29 carefully examined and compared and find same to be correctly engrossed.

HARDIN, Chairman.

**Committee Reports.**

Committee Room,  
Austin, Texas, Sept. 12, 1932.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 40, A bill to be entitled "An Act providing that warrants drawn on the State Treasury, if presented for payment and not paid, shall automatically bear interest until called for payment at the rate of four per cent (4%) per annum; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MOORE, Chairman.

**TWELFTH DAY.**

(Continued.)

Senate Chamber,  
Austin, Texas, Sept. 13, 1932.  
The Senate met at 10 o'clock a. m. pursuant to recess, and was called to order by President Pro Tem J. J. Loy.

**Bills and Resolutions**

By Senator Purl by request:

S. B. No. 42, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by cities in the State of Texas having a population of more than one hundred thousand (100,000) according to the last preceding United States census, and declaring an emergency."

Read and referred to Committee on State Affairs.

**Senate Simple Resolution No. 15.**

Senator Woodul sent up the following resolution:

Whereas, It has just come to the attention of the Senate that the Honorable J. M. West of Houston, Texas, has been confined to his bed for several weeks with a serious injury; and,

Whereas, The Senate of Texas were recently guests in the home of the said J. M. West and are truly interested in his speedy recovery; now therefore

Be it Resolved by the Senate of Texas that we express our sympathy

to the said J. M. West and wish for him a speedy recovery.

Be it further Resolved that the Secretary of the Senate be directed to send to the said J. M. West a copy of this resolution.

WOODUL,	ONEAL.
BECK,	PARR.
BERKELEY	PARRISH,
COUSINS,	PATTON,
CUNNINGHAM,	POAGE,
BEBERRY,	POLLARD,
GREER,	PURL,
GAINER,	RUSSEK,
HARDIN,	RAWINGS,
HOPKINS,	SMALL,
HOLBROOK,	STEVENSON,
HORNSBY,	THOMASON,
LOY,	WILLIAMSON,
MOORE,	WOODRUFF,
MARTIN,	WOODWARD.
NEAL,	

Read and adopted.

**Messages From the House.**

Hall of the House of Representatives,  
Austin, Texas, Sept. 13, 1932.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 43, A bill to be entitled "An Act to repeal Section 17, Chapter 74 of the Local and Special Laws of the Thirty-ninth Legislature known as an act to establish a system of public roads and bridges for Denton County, and commonly referred to as the Denton County road law."

H. B. No. 59, A bill to be entitled "An Act making it unlawful to take or to kill wild doves or quail for a period of three years in Hall County, Texas; fixing penalty, and declaring an emergency."

H. B. No. 60, A bill to be entitled "An Act to repeal Chapter 120, page 232, of the Special Laws of the Regular Session of the Forty-second Legislature, being a special road law for Wood County, and declaring an emergency."

H. B. No. 63, A bill to be entitled "An Act to repeal Chapter 71 of the General Laws of the Second Called Session of the Forty-first Legislature of the State of Texas, 1929 (being S. B. No. 133), relating to the compensation of district attorneys in judicial districts in this State contain-